

on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

98-16-11 Airbus Industrie: Amendment 39-10687. Docket 98-NM-116-AD.

Applicability: Model A300 series airplanes, as listed in Airbus Service Bulletin A300-57-0232, Revision 01, dated January 12, 1998; Model A310 series airplanes, as listed in Airbus Service Bulletin A310-57-2075, Revision 01, dated January 12, 1998; and Model A300-600 series airplanes, as listed in Airbus Service Bulletin A300-57-6079, Revision 02, dated January 12, 1998; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an

alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To detect and correct cracks in the pylon thrust and sideload fitting of the wing, which could result in reduced structural integrity of the airplane, accomplish the following:

(a) Prior to the accumulation of 2,800 total flight cycles, or within 18 months after the effective date of this AD, whichever occurs later, perform a detailed visual inspection to detect cracks in the pylon thrust and sideload fitting of the wing, in accordance with Airbus Service Bulletin A300-57-0232, Revision 01 (for Model A300 series airplanes); A310-57-2075, Revision 01 (for Model A310 series airplanes); or A300-57-6079, Revision 02 (for Model A300-600 series airplanes); all dated January 12, 1998; as applicable. Repeat the detailed visual inspection thereafter at intervals not to exceed 2,800 flight cycles.

(b) If any crack is detected during any inspection required by paragraph (a), prior to further flight, replace the pylon thrust and sideload fitting with a new fitting in accordance with Airbus Service Bulletin A300-57-0232, Revision 01 (for Model A300 series airplanes); A310-57-2075, Revision 01 (for Model A310 series airplanes); or A300-57-6079, Revision 02 (for Model A300-600 series airplanes); all dated January 12, 1998; as applicable. Thereafter, continue the inspections in accordance with the requirements of paragraph (a) of this AD.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(e) The inspections and replacement shall be done in accordance with Airbus Service Bulletin A300-57-0232, Revision 01, dated January 12, 1998; Airbus Service Bulletin A310-57-2075, Revision 01, dated January 12, 1998; or Airbus Service Bulletin A300-57-6079, Revision 02, dated January 12, 1998; as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex,

France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in French airworthiness directive 97-358-232(B), dated November 19, 1997.

(f) This amendment becomes effective on September 4, 1998.

Issued in Renton, Washington, on July 24, 1998.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-20434 Filed 7-30-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-90-AD; Amendment 39-10686; AD 98-16-10]

RIN 2120-AA64

Airworthiness Directives; Dornier Model 328-100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Dornier Model 328-100 series airplanes, that requires revising the Airplane Flight Manual (AFM) to require use of the electrical fuel pump for take-off and landing and performance of an operational check of the electrical fuel pump following landing. This amendment also requires replacement of the jet booster pumps with new or modified jet booster pumps, which terminates the requirement for the AFM revision. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent failure of the jet booster pumps, which could result in reduced engine thrust during take-off or landing, and consequent increased risk of impact with terrain.

DATES: Effective September 4, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 4, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from FAIRCHILD DORNIER, DORNIER

Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Dornier Model 328-100 series airplanes was published in the **Federal Register** on May 28, 1998 (63 FR 29144). That action proposed to require revising the Airplane Flight Manual (AFM) to require use of the electrical fuel pump for take-off and landing and performance of an operational check of the electrical fuel pump following landing. That action also proposed to require replacement of the jet booster pumps with new or modified jet booster pumps, which would terminate the requirement for the AFM revision.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 50 airplanes of U.S. registry will be affected by this AD.

It will take approximately 1 work hour per airplane to accomplish the required AFM revision, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the AFM revision required by this AD on U.S. operators is estimated to be \$3,000, or \$60 per airplane.

It will take approximately 6 work hours per airplane to accomplish the required replacement, at an average labor rate of \$60 per work hour. Required parts will be provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the replacement required by this AD

on U.S. operators is estimated to be \$18,000, or \$360 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

98-16-10 Dornier Luftfahrt GMBH:

Amendment 39-10686. Docket 98-NM-90-AD.

Applicability: Model 328-100 series airplanes, serial numbers 3005 through 3093 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the jet booster pumps, which could result in reduced engine thrust during take-off or landing, and consequent increased risk of impact with terrain, accomplish the following:

(a) Within 5 days after the effective date of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) by inserting a copy of Dornier All Operators Telefax AOT-328-28-014, Revision 1, dated October 16, 1996, into the AFM to require use of the electrical fuel pump for take-off and landing and performance of an operational check of the electrical fuel pump following landing.

(b) Within 180 days after the effective date of this AD, replace the jet booster pumps having part number (P/N) 219335-2 with new or modified jet booster pumps, having P/N 219335-3, in accordance with Dornier Service Bulletin SB-328-28-211, dated March 26, 1997. Accomplishment of this replacement constitutes terminating action for the requirements of paragraph (a) of this AD; after the replacement has been accomplished, the previously required limitation may be removed from the AFM.

(c) As of the effective date of this AD, no person shall install a jet booster pump, part number 219335-2, on any airplane.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) The actions shall be done in accordance with Dornier All Operators Telefax (AOT) AOT-328-28-014, Revision 1, dated October 16, 1996; and Dornier Service Bulletin SB-328-28-211, dated March 26, 1997. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from FAIRCHILD DORNIER, DORNIER Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in German airworthiness directives 97-004, dated January 30, 1997; and 97-149, dated May 22, 1997.

(g) This amendment becomes effective on September 4, 1998.

Issued in Renton, Washington, on July 24, 1998.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-20433 Filed 7-30-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-44-AD; Amendment 39-10682; AD 98-16-06]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A310 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Airbus Model A310 series airplanes, that requires inspections of the lower door surrounding structure to detect cracks and corrosion, and repair, if necessary. This amendment also requires inspections to detect cracking of the holes of the corner doublers, the fail-safe ring, and the door frames of the door structures; and repair, if necessary. In addition, this amendment provides for optional terminating action for certain inspections. This amendment is prompted by reports indicating that corrosion was found between the scuff

plates at exit and cargo doors, and fatigue cracks originated from certain fastener holes located in adjacent structure. The actions specified by this AD are intended to detect and correct such corrosion and fatigue cracking, which could result in reduced structural integrity of the door surroundings.

DATES: Effective September 4, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 4, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to all Airbus Model A310 series airplanes was published in the **Federal Register** on January 29, 1997 (62 FR 4208). That action proposed to require inspections of the lower door surrounding structure to detect cracks and corrosion, and repair, if necessary. That action also proposed to require inspections to detect cracking of the holes of the corner doublers, the fail-safe ring, and the door frames of the door structures; and repair, if necessary. In addition, that action also provides for optional terminating action for certain inspections.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

Request to Mandate Optional Terminating Action

One commenter supports the proposed AD, but states that the FAA should not allow operators to forego accomplishment of the terminating action in lieu of repetitive inspections. The commenter states that allowing the

terminating action to be optional will "allow airplanes to operate that have cracks in the door frames that will be more subject to failure in the event of an accident." Additionally, the commenter notes that accident history has shown that there is already a significant problem with the emergency operation of doors following minor fuselage deformation, even though this is a requirement under section 25.783(c) of the Federal Aviation Regulations [14 CFR 25.783(c)].

The FAA does not concur with the request to mandate the terminating action. As stated in the preamble to the NPRM, the FAA considers certain criteria in allowing repetitive inspections of the affected area to be permitted to continue, and has determined that, in this case, mandating the terminating action is not necessary in order to adequately address the identified unsafe condition. The FAA has determined that the inspection intervals required by the AD were established to detect any cracking before it becomes critical to the airplane structure. Additionally, even if small cracks exist that are not detected by the inspections at the intervals required by this AD, the cracks will not adversely affect the structure of the door under ultimate loads, and such cracking is unlikely to result in interference with the operation of emergency exits. Therefore, no change to the final rule is necessary.

Explanation of Change Made to This Final Rule

Paragraphs (b), (c), and (d) of the final rule have been revised to cite Revision 02 of Airbus Service Bulletin A310-53-2041, dated July 2, 1996, for accomplishment of certain actions. Revision 02 contains no substantive differences from Revision 1 of the service bulletin (Revision 1 was cited as the appropriate source of service information in the proposed AD). However, Revision 02 contains an additional description of the inspections required by paragraph (b) of the AD. A "NOTE" has been added to the final rule to give credit to operators that may have previously accomplished the required actions in accordance with Revision 1 of the service bulletin.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the change previously described. The FAA has determined that this change will neither increase the economic burden on any